

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DUSTIN FOCKLER,)	
)	
Plaintiff,)	Civil Action No. 05-123 ERIE
)	Judge Sean J. McLaughlin
v.)	Magistrate Judge Baxter
)	
UNITED STATES)	Electronically Filed
MARSHALS SERVICE,)	
)	
Defendant.)	

ORDER

AND NOW, this ____ day of _____, 200__, upon consideration of Defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction, and upon further consideration of any response thereto,

IT IS HEREBY ORDERED that Defendant's motion is **GRANTED** and that Plaintiff's Complaint is hereby **DISMISSED WITH PREJUDICE**.

_____, J.

cc: All parties of record